



General Assembly

Substitute Bill No. 6956

January Session, 2001

***AN ACT CONCERNING REVISIONS TO THE BEVERAGE CONTAINER
REDEMPTION PROVISIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-243 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 For purposes of sections 22a-243 to 22a-245, inclusive:

4 (1) "Beverage" means (A) beer or other malt beverages and mineral
5 waters, soda water and similar carbonated soft drinks in liquid form
6 and intended for human consumption that is packaged in a beverage
7 container, and (B) any other nondairy or nonsoy liquid intended for
8 humans to drink that is packaged in a beverage container other than a
9 carton that is (i) greater than or equal to eight fluid ounces and less
10 than or equal to twenty-four fluid ounces, or (ii) equal to one or two
11 liters. "Beverage" does not mean infant formula, wine, as defined in
12 section 30-1 of the general statutes, spirits, as defined in section 30-1,
13 meal replacement drinks with a protein content of greater than or
14 equal to twelve per cent of the product, or liquids used for medicinal
15 purposes;

16 (2) "Beverage container" means the individual, separate, sealed
17 glass, metal or plastic bottle, can, jar or carton containing a beverage;

18 (3) "Consumer" means every person who purchases a beverage in a

19 beverage container for use or consumption;

20 (4) "Dealer" means every person who engages in the sale of
21 beverages in beverage containers to a consumer;

22 (5) "Distributor" means every person who engages in the sale of
23 beverages in beverage containers to a dealer in this state including any
24 manufacturer who engages in such sale and includes a dealer who
25 engages in the sale of beverages in beverage containers on which no
26 deposit has been collected prior to retail sale;

27 (6) "Manufacturer" means every person bottling, canning or
28 otherwise filling beverage containers for sale to distributors or dealers;

29 (7) "Place of business of a dealer" means the location at which a
30 dealer sells or offers for sale beverages in beverage containers to
31 consumers;

32 (8) "Redemption center" means any facility established to redeem
33 empty beverage containers from consumers or to collect and sort
34 empty beverage containers from dealers and to prepare such
35 containers for redemption by the appropriate distributors;

36 (9) "Use or consumption" includes the exercise of any right or power
37 over a beverage incident to the ownership thereof, other than the sale
38 or the keeping or retention of a beverage for the purposes of sale;

39 (10) "Nonrefillable beverage container" means a beverage container
40 which is not designed to be refilled and reused in its original shape.

41 Sec. 2. Section 22a-244 of the general statutes is repealed and the
42 following is substituted in lieu thereof:

43 (a) Every beverage container sold or offered for sale in this state,
44 except beverage containers sold or offered for sale for consumption on
45 an interstate passenger carrier, shall have a refund value. Such refund
46 value shall not be less than five cents and shall be a uniform amount
47 throughout the distribution process in this state.

48 (b) Every beverage container sold or offered for sale in this state,
49 except beverage containers sold or offered for sale for consumption on
50 an interstate passenger carrier, shall clearly indicate by embossing or
51 by a stamp or by a label or other method securely affixed to the
52 beverage container (1) either the refund value of the container or the
53 words "return for deposit" or "return for refund" or other words as
54 approved by the Department of Environmental Protection, and (2)
55 either the word "Connecticut" or the abbreviation "Ct.", provided this
56 subdivision shall not apply to glass beverage containers permanently
57 marked or embossed with a brand name.

58 (c) No person shall sell or offer for sale in this state any metal
59 beverage container (1) a part of which is designed to be detached in
60 order to open such container, or (2) that is connected to another
61 beverage container by a device constructed of a material which does
62 not decompose by photodegradation, chemical degradation or
63 biodegradation within a reasonable time after exposure to the
64 elements.

65 (d) This section shall not apply to persons who sell, for a profit, less
66 than thirty thousand units of noncarbonated water in a beverage
67 container per year.

68 Sec. 3. Subsection (b) of section 22a-245 of the general statutes is
69 repealed and the following is substituted in lieu thereof:

70 (b) A dealer shall not refuse to accept at such dealer's place of
71 business, from any person any empty beverage containers of the kind,
72 size and brand sold by the dealer, or refuse to pay to such person the
73 refund value of a beverage container as established by subsection (a) of
74 section 22a-244 unless (1) such container contains materials which are
75 foreign to the normal contents of the container or unless such container
76 is not labeled in accordance with subsection (b) of section 22a-244, [or
77 unless] (2) such dealer sponsors, solely or with others, a redemption
78 center which is located within a one-mile radius of such place of
79 business and which accepts beverage containers of the kind, size and

80 brand sold by such dealer at such place of business, [or unless] (3)
81 there is established by others, a redemption center which is located
82 within a one-mile radius of such place of business and which accepts
83 beverage containers of the kind, size and brand sold by such dealer at
84 such place of business, or (4) the retail selling space of such dealer is
85 less than or equal to five thousand square feet. A dealer shall redeem
86 an empty container of a kind, size or brand the sale of which has been
87 discontinued by such dealer for not less than sixty days after the last
88 sale by the dealer of such kind, size or brand of beverage container.
89 Sixty days before such date, the dealer shall post, at the point of sale,
90 notice of the last date on which the discontinued kind, size or brand of
91 beverage container shall be redeemed.

92 Sec. 4. (NEW) The Committee on Legislative Management shall, by
93 January 1, 2002, implement a program that provides for the
94 redemption or recycling of beverage containers, as defined in section
95 22a-243 of the general statutes, as amended by this act.

ENV *Joint Favorable Subst.*